

The Examiner also objected to the specification because it describes a portion of figure 2 as containing "light grey shading," which was not evident in Figure 2 as originally submitted. The replacement drawings contain the light grey shading referred to in the specification. Withdrawal of the objection to the specification is respectfully requested.

The Examiner rejected all claims under 35 USC §112, first paragraph. The Examiner has reiterated this rejection from the previous Office Action. The Examiner stated that the specification teaches that when the genes citC, citD, citE, citF, citX and citG in that order are placed into an expression vector, with the citC, citD, citE, citF and citG genes being obtained from *Klebsiella pneumoniae* and the citX obtained from *E. coli*, and this vector transformed into *E. coli*, an active citrate lyase was produced. The Examiner argues that the specification does not support the claims in that there is no teaching that "at least four genes are derived from *Klebsiella pneumoniae* and that the order of the genes can be other than citC, citD, citE, citF, citX and citG."

Applicants respectfully disagree with the Examiner. While the specific words "at least four genes derived from *Klebsiella pneumoniae*" are not found within the specification, it is clear from a reading of the specification that embodiments within this claim scope are taught. For example, on page 5, first full paragraph, the Applicants disclose simultaneous expression of the citCDEFG gene cluster from *Klebsiella pneumoniae* along with the citX gene from *E. coli*. Clearly this embodiment falls within the scope of the claim, and therefore provides a teaching related to the claims as they currently stand. It is axiomatic that the Applicants do not have to supply examples of all embodiments within the scope of a claim. Applicants respectfully request reconsideration of the Examiner's rejection.

For the reasons stated, Applicants believe the claims as amended are in condition for

allowance, and respectfully request that the Examiner allow such claims to issue.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'K. J. Waite', with a long horizontal flourish extending to the right.

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